

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ANDY QUEZADA,

Petitioner,

v.

CLARK COUNTY DETENTION  
CENTER,

Respondents.

Case No. 2:23-cv-00653-ART-VCF

ORDER

*Pro se* Petitioner Andy Quezada has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. (ECF No. 1-1 (“Petition”).) Quezada has not properly commenced this habeas action by either paying the standard \$5.00 filing fee or filing an application for leave to proceed *in forma pauperis* (“IFP”). Pursuant to 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he or she submits an IFP application on the approved form and includes three specific documents: (a) the prisoner’s financial declaration and acknowledgement showing an inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an authorized prison official, and (c) a copy of the prisoner’s account statement for the six-month period prior to filing. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2.

Quezada explains that he has “filled out and filed a payment of \$5.00” but “compliance has not been a positive one from Clark County Detention Center.” (ECF No. 1-1 at 9.) Quezada will have 45 days from the date of this order to pay the \$5 filing fee or submit a complete IFP application with all required documentation.

It is therefore ordered that within 45 days of the date of this order, Quezada must file an IFP application that includes: (a) a financial certificate signed by

1 Quezada and an authorized prison official, (b) a financial declaration and  
2 acknowledgement signed by Quezada, and (c) a copy of Quezada's inmate  
3 account statement for the six-month period prior to filing. Alternatively, Quezada  
4 must pay the \$5 filing fee within 45 days. If Petitioner decides to pay the filing fee  
5 from his inmate account, he must arrange to have a copy of this order attached  
6 to the check for the filing fee. Quezada's failure to timely comply with this Order  
7 will result in the dismissal of this action without prejudice and without further  
8 advance notice.

9 It is further ordered that the Clerk of Court send Quezada a blank copy of  
10 the IFP application form for inmates along with instructions and two copies of  
11 this order.

12 DATED THIS 1<sup>st</sup> day of May 2023.

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15 ANNE R. TRAUM  
16 UNITED STATES DISTRICT JUDGE  
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